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August 20, 2004

**TO: EXAMINER PHIRIN SAM**

**COMPANY: USPTO --GROUP ART UNIT 2661**

**FAX NO: 703-872-9306**

**RE: SERIAL NO. 09/604,152 OF CHARLES C. BYERS FILED 6/27/2000**

**Our Reference No.: BYERS 38**

**FROM: WALTER W. DUFT, REG. NO. 31,948**

**NUMBER OF PAGES INCLUDING COVER SHEET: 5**

**COMMENTS:**

**PLEASE SEE THE ATTACHED PAPERS:**

1. RESPONSE TO FIRST OFFICE ACTION;
2. CHANGE OF CORRESPONDENCE ADDRESS.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 ) Group Art Unit: 2661  
CHARLES CALVIN BYERS )  
 )  
SERIAL NO.: 09/604,152 )  
 )  
FILED: June 27, 2000 ) Examiner: Phirin Sam  
 )  
FOR: SYSTEM AND METHOD FOR )  
PROVIDING CONTROLLED )  
BROADBAND ACCESS BANDWIDTH )

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

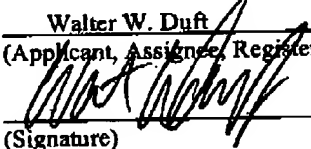
Sir:

**RESPONSE TO FIRST OFFICE ACTION**

In response to the first Office Action mailed on May 20, 2004, Applicant hereby respectfully amends the subject application, as follows:

I hereby certify that this correspondence is being transmitted via facsimile in accordance with 37 CFR 1.6(d) and 1.8 to the United States Patent and Trademark Office, to the attention of Primary Examiner Phirin Sam of Group Art Unit 2661 at (703) 872-9306, on:

August 20, 2004  
(Date)

Walter W. Duft  
(Applicant, Assignee, Registered Representative)  
  
(Signature)

August 20, 2004  
(Date of Signature)